



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
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TECHNICAL STAFF REPORT

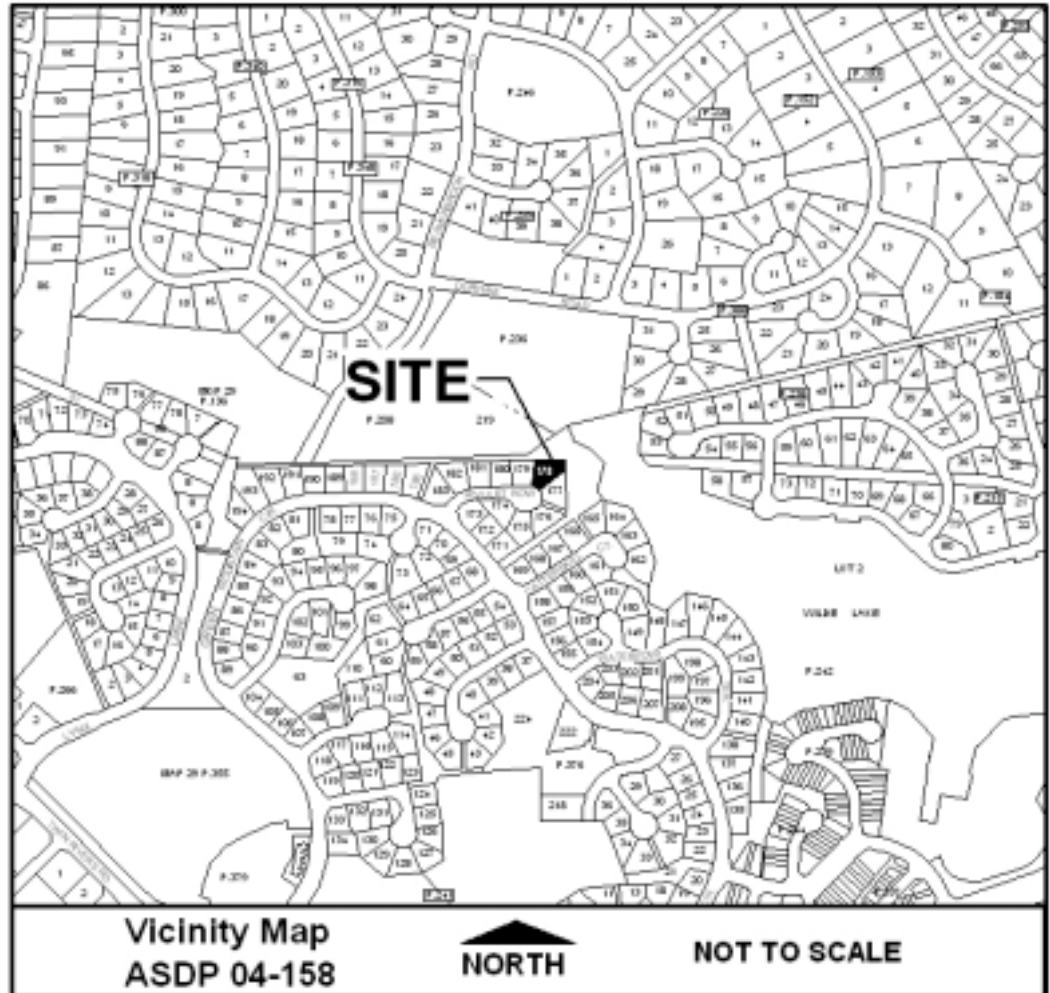
Planning Board Meeting of January 11, 2007

Case No./Petitioner: ASDP-04-158/Mr. John F. Stewart

Subject: ASDP-04-158, Village of Wilde Lake, Section 1, Lot 178, 10559 Rivulet Row, Tax Map 30, Grid 19, Parcel 241, Fifth Election District of Howard County, Maryland

Request: For Planning Board approval of an Amended Site Development Plan to allow the lot coverage by structures to exceed the 30% maximum permitted by Final Development Plan Phase Two – A- VIII for an existing dwelling under construction and a proposal for 2 decks at the rear of the house. In accordance with Section 125.E.4 of the Zoning Regulations, the request to exceed the maximum coverage must be evaluated at a public meeting. For the purpose of this meeting, the subject lot was posted with an official Planning Board notice for 15 or more days prior to the meeting date.

Location: The subject lot is located on the north side of the cul-de-sac bulb of Rivulet Row in Bryants Woods, approximately 1,000 feet from, and at a 16-foot lower elevation than Green Mountain Circle.



- Vicinal Properties:
- To the west is Lot 179 (10,658 s.f.).
 - To the south is Lot 177 (11,758 s.f.).
 - To the north is a 50-foot wide BG & E easement, beyond that is New Town wooded stream valley Open Space Lot 219 (6.47 acres) and Beaverbrook Community Association wooded open space.
 - To the east is the 39-acre Lake and Park Open Space Lot 2, Wilde Lake.

1. SITE DESCRIPTION:

The neighborhood in which the subject lot is located is comprised of single family detached lots and open space lots. In accordance with Final Development Plan Phase Two – A- VIII, the subject lot and all of the surrounding residential lots are zoned New Town, Single Family Medium Density. The 11 lots fronting on Rivulet Row range in size from a minimum 9,989 s.f (Lot 180) to a maximum 13,328 s.f. (Lot 178), with a mean average lot size of about 11,800 s.f.

All of the houses are similar in style although varied in size and orientation to each other and to Rivulet Row. All are sited with at least the minimum required 20-foot front BRL and 7.5-foot setbacks from other property lines. The existing houses range in coverage from 14% (Lot 182) to 27% (Lot 181).

The subject lot is 13,328 s.f. (0.31 acre) in area and is the largest lot on the street, as is the house (4,306 s.f.). It is currently under construction under an approved SDP-04-158. The dwelling replaces an existing house built in 1967 under an approved building permit without a requirement for a site development plan. It is parallel to, and set back from, the adjacent house on Lot 179 and is separated visually from that house by the setback and a row of mature evergreen trees. The house is 62 feet from, and perpendicular to, the side of the house on Lot 177. That house faces the road and has one window on the side.

SDP-04-158 identifies the coverage exactly at 30% or 3,998.4 s.f., and the intent of the design was to meet the maximum coverage allowed. In researching the applicant's initial proposal for two decks (deck 1 = 381 s.f. and deck 2 = 263 s.f.) to exceed coverage, this office determined that the house under construction actually covered 4,306 s.f. or 32.3% of the lot, based on the definition of "structure" in the final development plan as including all overhangs as well as the building footprint. Therefore, the request to exceed coverage has been expanded to include the new house itself as well as the two decks. With the addition of the proposed decks, the lot coverage is 4,891 s.f. or 36.7%.

2. EVALUATION:

The house under construction and the proposed addition of the 2 decks at the rear of the house will increase the lot coverage from 32.3% to 36.9 %. Final Development Plan Phase Two A-VIII stipulates that lot coverage by major structures not exceed 30% of the total lot area. In accordance with Section 125.E.4.d of the Zoning Regulations, the Planning Board must evaluate the acceptability of the proposed increase above the allowable lot coverage based on the following criteria:

1. The adjustment will not alter the character of the neighborhood, will not impair the or development of the adjacent property, and will not be detrimental to the public welfare.

The existing house under construction, while exceeding the 30% permitted coverage to 32.3%, does not make the lot incompatible with others in the neighborhood. Structures on the other 10 lots vary in size, orientation, and design. The following factors contribute to the perception that the house on Lot 178 is in scale and compatible with its surroundings: its location at the end of the cul-de-sac, its setback of 61 feet from the front of the lot, screening by mature evergreen trees to remain and by falling topography, and with substantial wooded open space to the rear and Wild Lake on the east side of the lot. The two decks

proposed at the rear of the house, tucked into the articulation of the exterior walls, would scarcely be noticed by near-by neighbors. In addition, the house and proposed decks were approved by the Wilde Lake Community Association, and the approval letters dated October 5, 2004 and October 4, 2006 are a part of this file. The house and deck additions will not alter the character of the developed residential neighborhood and will not impair the use of the adjacent and surrounding developed residential lots. The structures are not detrimental to the public welfare.

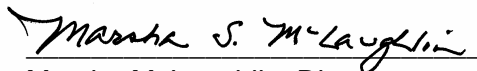
2. The adjustment is needed due to practical difficulties which arise from strict compliance with the FDP and/or results in better design than would be allowed by strict compliance with the development criteria.

The proposed adjustment to the bulk requirement for the allowable coverage will permit the petitioner to keep the house as designed and built without removal of part of it to conform to the 30% coverage. The coverage issue for the house was not discovered until the review of the application requesting consideration to exceed coverage through the addition of two decks. Until then, the applicant believed that the house itself was in compliance with all applicable bulk regulations. Allowing the additional coverage adjustment for the two decks will increase the usefulness, enjoyment, and value of the applicant's property. Allowing decks (i.e., outdoor "rooms") to overlook public open space is a superior design in such a setting.

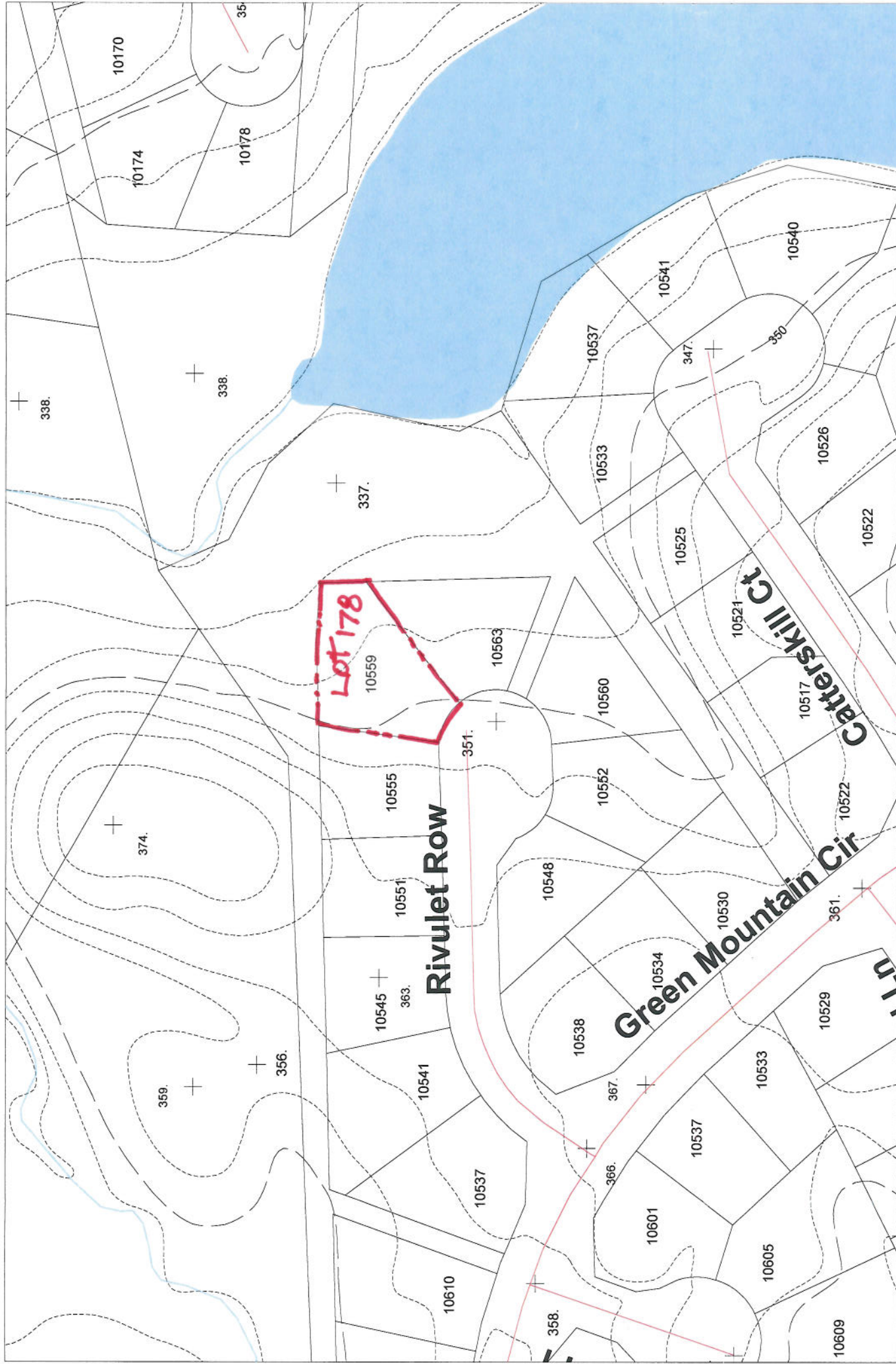
This file is available for public review at the Department of Planning and Zoning's public service counter, Monday through Friday, 8:00 a.m. to 5:00 p.m.

3. RECOMMENDATION:

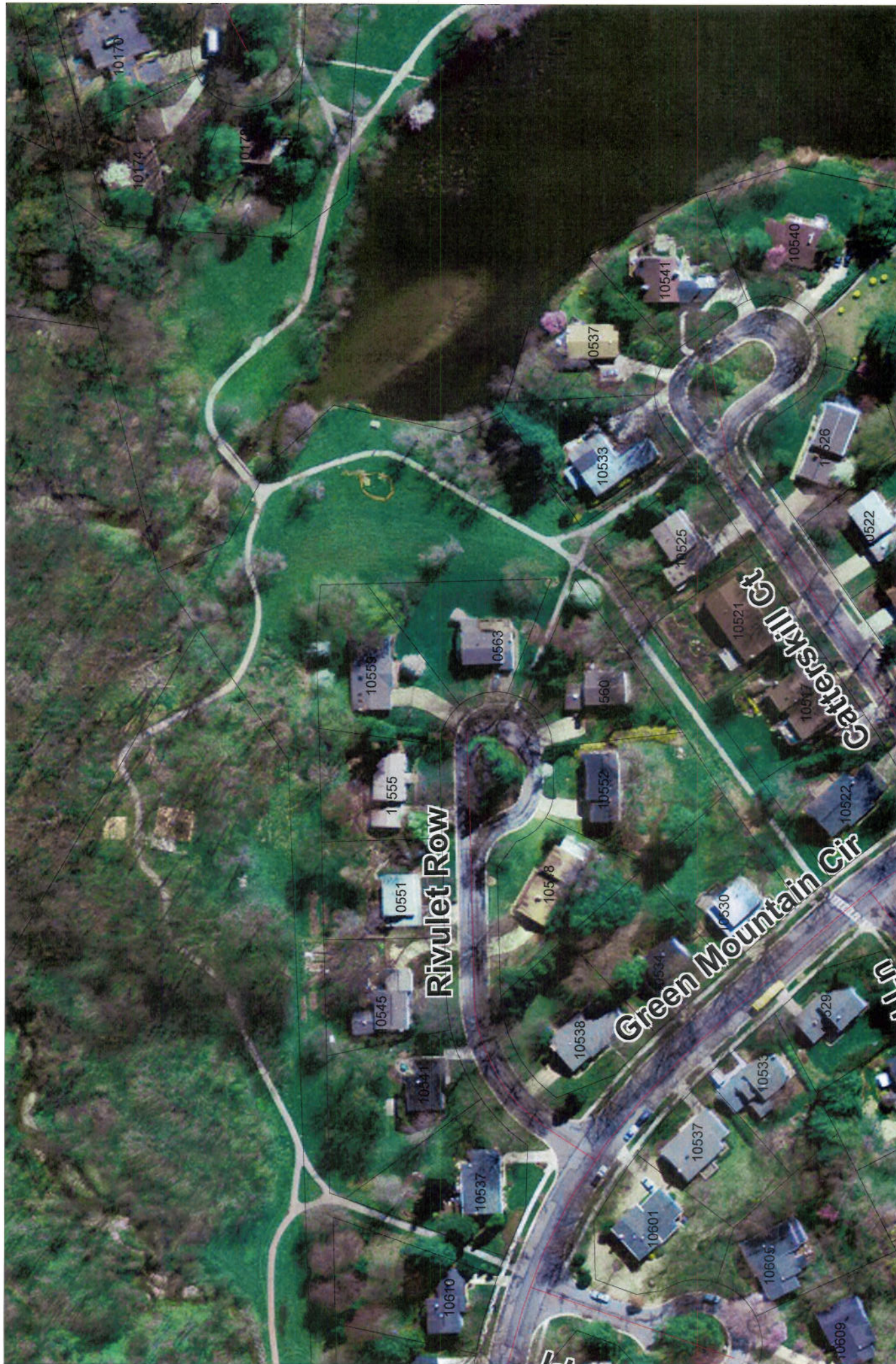
Based on the above findings, the Department of Planning and Zoning recommends that the Planning Board approve the Amended Site Development Plan (ASDP-73-68) to allow the house under construction and two proposed decks relief from the 30% maximum lot building coverage to allow 36.9% coverage.


Marsha McLaughlin, Director
Department of Planning and Zoning

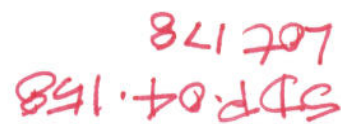
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Topo, Lots, & Addresses



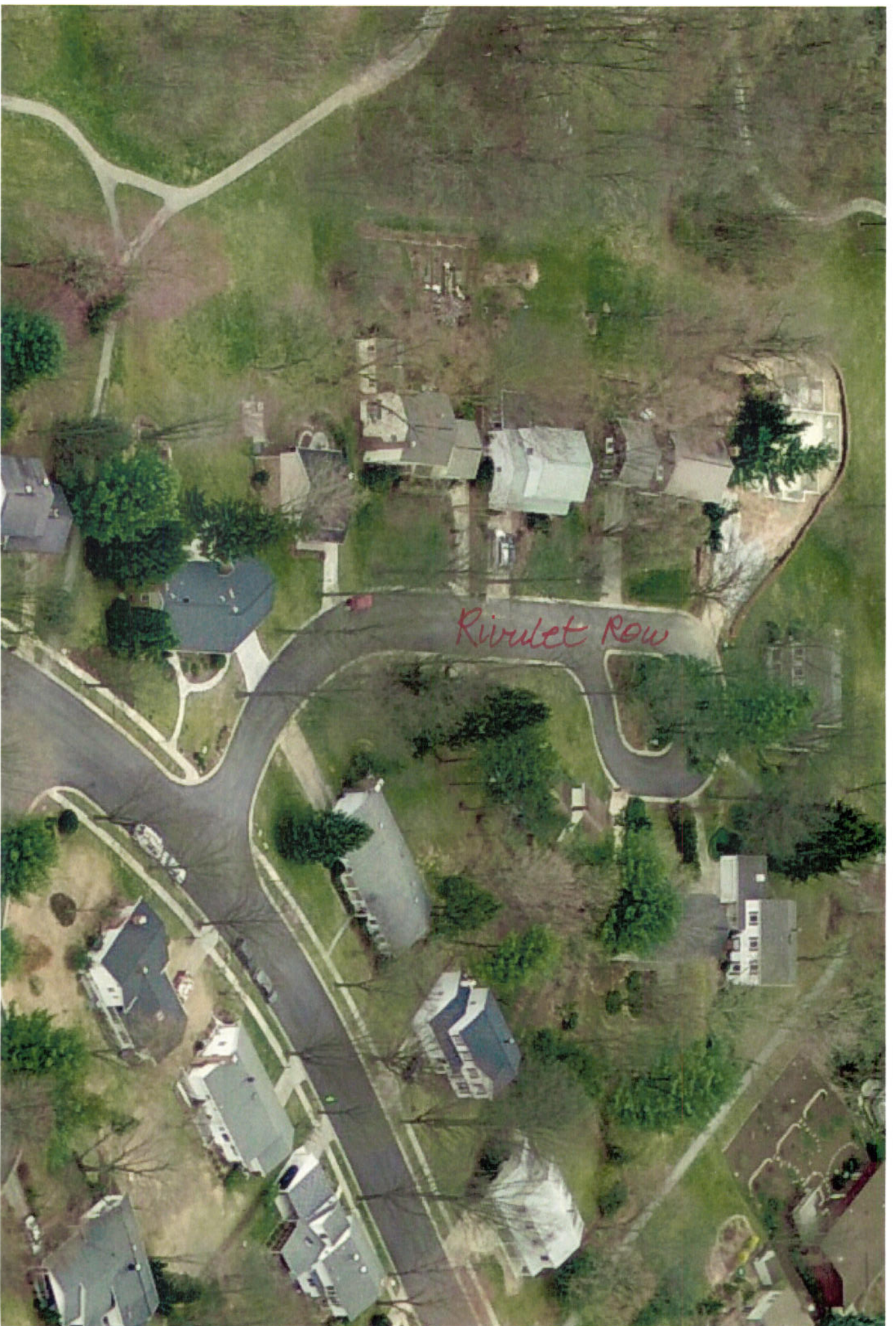
10559 Rivulet Row
House Built in 1967





*Aerial, 10559 Kumbel-Ross
from North*

(c) Copyright 2006, Pictometry International



Aerial, 10559 Rivulet Row
from West

(c) Copyright 2006, Pictometry International



CUSTOMER AUTHORIZATION

These are the terms and conditions of the contract for the design and construction of the project. The customer agrees to pay the fee for the design and construction of the project. The customer agrees to provide all necessary information and materials for the project. The customer agrees to accept the design and construction of the project as shown on the plans. The customer agrees to sign and return this form to the architect.

Date

Date



10559 Rivulet Row
House Built in 1967